

(6) **THIRD PARTY SELLER.**—

(A) **IN GENERAL.**—The term “third party seller” means any seller, independent of an online marketplace, who sells, offers to sell, or contracts to sell a consumer product in the United States through such online marketplace’s platform.

(B) **EXCLUSIONS.**—The term “third party seller” does not include, with respect to an online marketplace—

(i) a seller who operates the online marketplace’s platform; or

(ii) a business entity that has—

(I) made available to the general public the entity’s name, business address, and working contact information;

(II) an ongoing contractual relationship with the online marketplace to provide the online marketplace with the manufacture, distribution, wholesaling, or fulfillment of shipments of consumer products; and

(III) provided to the online marketplace identifying information, as described in subsection (a), that has been verified in accordance with that subsection.

(7) **VERIFY.**—The term “verify” means to confirm information provided to an online marketplace pursuant to this section, which may include the use of one or more methods that enable the online marketplace to reliably determine that any information and documents provided are valid, corresponding to the seller or an individual acting on the seller’s behalf, not misappropriated, and not falsified.

(g) **RELATIONSHIP TO STATE LAWS.**—No State or political subdivision of a State, or territory of the United States, may establish or continue in effect any law, regulation, rule, requirement, or standard that conflicts with the requirements of this section.

(h) **EFFECTIVE DATE.**—This section shall take effect 180 days after the date of the enactment of this Act.

(i) **SHORT TITLE.**—this section may be cited as the “Integrity, Notification, and Fairness in Online Retail Marketplaces for Consumers Act” or the “INFORM Consumers Act”.

SA 4276. Mr. BRAUN (for himself, Mr. TILLIS, Mrs. GILLIBRAND, and Mr. VAN HOLLEN) submitted an amendment intended to be proposed to amendment SA 3867 submitted by Mr. REED and intended to be proposed to the bill H.R. 4350, to authorize appropriations for fiscal year 2022 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle G of title V, add the following:

SEC. 596. POSTHUMOUS HONORARY PROMOTION TO GENERAL OF LIEUTENANT GENERAL FRANK MAXWELL ANDREWS, UNITED STATES ARMY.

(a) **POSTHUMOUS HONORARY PROMOTION.**—Notwithstanding any time limitation with respect to posthumous promotions for persons who served in the Armed Forces, the President is authorized to issue a posthumous honorary commission promoting Lieutenant General Frank Maxwell Andrews, United States Army, to the grade of general.

(b) **ADDITIONAL BENEFITS NOT TO ACCRUE.**—The honorary promotion of Frank Maxwell Andrews under subsection (a) shall not affect the retired pay or other benefits from the United States to which Frank Maxwell Andrews would have been entitled based upon his military service or affect any benefits to which any other person may become entitled based on his military service.

AUTHORITY FOR COMMITTEES TO MEET

Mr. Kaine. Mr. President, I have 9 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority Leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 9:30 a.m., to conduct a hearing on nominations.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 10 a.m., to conduct a hearing.

COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 9:30 a.m., to conduct a hearing on a nomination.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 9:45 a.m., to conduct a business meeting.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 10 a.m., to conduct a classified briefing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 10:30 a.m., to conduct a business meeting.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 10 a.m., to conduct a hearing on nominations.

COMMITTEE ON VETERANS’ AFFAIRS

The Committee on Veterans’ Affairs is authorized to meet during the session of the Senate on Wednesday, November 3, 2021, at 3 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Ms. Lummis. Mr. President, I ask unanimous consent that the following

interns in my office be granted floor privileges until November 4, 2021: Alyssa Burleson, Charlotte Holding, and Tanner Weekly.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXPRESSING SUPPORT FOR THE DESIGNATION OF THE WEEK OF NOVEMBER 1 THROUGH NOVEMBER 5, 2021, AS NATIONAL FAMILY SERVICE LEARNING WEEK

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 439, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 439) expressing support for the designation of the week of November 1 through November 5, 2021, as “National Family Service Learning Week”.

There being no objection, the Senate proceeded to consider the resolution.

Mr. SCHUMER. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The resolution (S. Res. 439) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today’s RECORD under “Submitted Resolutions.”)

PERMITTING THE USE OF THE ROTUNDA OF THE CAPITOL FOR A CEREMONY AS PART OF THE COMMEMORATION OF THE 100TH ANNIVERSARY OF THE DEDICATION OF THE TOMB OF THE UNKNOWN SOLDIER

Mr. SCHUMER. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. Con. Res. 19.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 19) permitting the use of the rotunda of the Capitol for a ceremony as part of the commemoration of the 100th anniversary of the dedication of the Tomb of the Unknown Soldier.

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. SCHUMER. I ask unanimous consent that the concurrent resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

The concurrent resolution (S. Con. Res. 19) was agreed to.

(The concurrent resolution is printed in today’s RECORD under “Submitted Resolutions.”)

ORDERS FOR THURSDAY,
NOVEMBER 4, 2021

Mr. SCHUMER. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, November 4; that following the prayer and the pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; that upon the conclusion of morning business, the Senate proceed to executive session to resume consideration of the Santos nomination; further, that notwithstanding rule XXII, at 11 a.m. the Senate proceed to the consideration of Executive Calendar No. 352, Michael Lee Connor, of Colorado, to be an Assistant Secretary of the Army, and the Senate vote on the confirmation of the nomination; that upon disposition of the Connor nomination, the cloture motion on the Santos nomination ripen, and that if cloture is invoked, the vote on the confirmation be at 1:45 p.m.; finally, that if any of the nominations are confirmed during Thursday's session, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

The PRESIDING OFFICER. Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

Mr. SCHUMER. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:09 p.m., adjourned until Thursday, November 4, 2021, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate:

THE JUDICIARY

KENDRA DAVIS BRIGGS, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSOCIATE JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA FOR THE TERM OF FIFTEEN YEARS, VICE JUDITH BARTNOFF, RETIRED.

GEORGETTE CASTNER, OF NEW JERSEY, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW JERSEY, VICE JOSE L. LINARES, RETIRED.

JACQUELINE SCOTT CORLEY, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE WILLIAM HASKELL ALSUP, RETIRED.

RUTH BERMUDEZ MONTENEGRO, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF CALIFORNIA, VICE JOHN A. HOUSTON, RETIRED.

JULIE REBECCA RUBIN, OF MARYLAND, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF MARYLAND, VICE ELLEN LIPTON HOLLANDER, RETIRING.

CRISTINA D. SILVA, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE JAMES C. MAHAN, RETIRED.

LEONARD PHILIP STARK, OF DELAWARE, TO BE UNITED STATES CIRCUIT JUDGE FOR THE FEDERAL CIRCUIT, VICE KATHLEEN M. O'MALLEY, RETIRING.

TRINA L. THOMPSON, OF CALIFORNIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE NORTHERN DISTRICT OF CALIFORNIA, VICE PHYLLIS J. HAMILTON, RETIRED.

ANNE RACHEL TRAUM, OF NEVADA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEVADA, VICE ROBERT CLIVE JONES, RETIRED.

DISCHARGED NOMINATION

The Senate Committee on the Judiciary was discharged from further consideration of the following nomination pursuant to S. Res. 27 and the nomination was placed on the Executive Calendar:

JENNIFER SUNG, OF OREGON, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.

CONFIRMATIONS

Executive nominations confirmed by the Senate November 3, 2021:

DEPARTMENT OF THE TREASURY

BENJAMIN HARRIS, OF VIRGINIA, TO BE AN ASSISTANT SECRETARY OF THE TREASURY.

DEPARTMENT OF LABOR

RAJESH D. NAYAK, OF MARYLAND, TO BE AN ASSISTANT SECRETARY OF LABOR.

UNITED STATES AGENCY FOR INTERNATIONAL
DEVELOPMENT

ISOBEL COLEMAN, OF NEW YORK, TO BE A DEPUTY ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

ENVIRONMENTAL PROTECTION AGENCY

JEFFREY M. PRIETO, OF CALIFORNIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

DEPARTMENT OF AGRICULTURE

ADRIENNE WOJCIECHOWSKI, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT SECRETARY OF AGRICULTURE.

DEPARTMENT OF STATE

MICHAEL CARPENTER, OF THE DISTRICT OF COLUMBIA, TO BE U.S. REPRESENTATIVE TO THE ORGANIZATION FOR SECURITY AND COOPERATION IN EUROPE, WITH THE RANK OF AMBASSADOR.

THOMAS R. NIDES, OF MINNESOTA, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF ISRAEL.